

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

TOM N. JERRY, et al.,

:

Case No. 3:12-cv-200

Plaintiffs,

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

-vs-

GERALD ARTHUR SANDUSKY,

Defendant. :

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 3), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on July 13, 2002, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that the above-captioned case be dismissed without prejudice for failure to state a claim upon which relief can be granted.

July 16, 2012

*s/THOMAS M. ROSE

Thomas M. Rose, Judge
United States District Court Judge